

APPLICATION GRANTED IN PART AND DENIED IN PART:

By 10/12/2023, defendants shall answer the complaint.

The Court will hold an initial conference as scheduled, on 9/28/2023, at 9:30 a.m. The conference will proceed in person at the White Plains courthouse, Courtroom 620. By 9/21/2023, the parties shall file their proposed Civil Case Discovery Plan and Scheduling Order. (Doc. #76).

The Clerk is directed to terminate the letter-motion. (Doc. #83).

LETITIA JAMES
ATTORNEY GENERAL

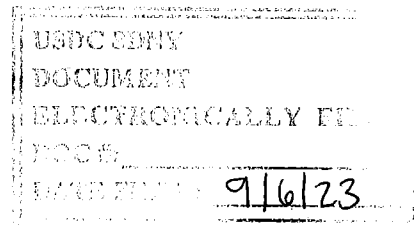
Chambers will mail a copy of this Order to plaintiff at the address on the docket.

SO ORDERED:



Honorable Vincent L. Briccetti
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Vincent L. Briccetti, U.S.D.J.
September 6, 2023



Re: Dubose v. Jiminez, 22-CV-2124 (VB)

Copies ~~Mailed~~ Faxed LC 9/6/23
Chambers of Vincent L. Briccetti

Dear Judge Briccetti:

This action is a 42 U.S.C. § 1983 brought by incarcerated pro se plaintiff Tyrek Dubose. This Office represents the identified defendants: 1. Ortiz, 2. Del Bianco, 3. Losi, 4. Piggee, 5. Harkins, 6. Albert, 7. Prince, 8. Nienstedt, 9. Lavalley, 10. Carbone, 11. Buckham, 12. Downer, 13. Lopez, 14. Wood, 15. Santos, 16. Walden, 17. Mayes.

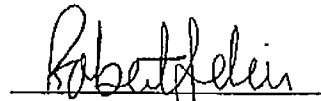
By Order dated August 15, 2023 (*see* Docket No. 75), the Court set September 14, 2023 as the date by which all Defendants must respond to the Complaint or request an extension. Defendant Mayes was terminated from the docket at that time. On August 28, 2023, Plaintiff filed a motion for reconsideration (*see* Docket No. 81). The Court granted plaintiff's motion for reconsideration, in part, and reinstated Defendant Mayes to the subject action (*See* Docket No. 82).

As I am the newly assigned attorney to the instant matter, I will be out of the office between September 11 – 13, 2023, and there are seventeen (17) named defendants who I have to speak with to discuss the specific claims and allegations against them, I am requesting an extension of time to file an answer and – if the Court deems it necessary - a adjournment of the initial discovery conference to a date satisfactory to the Court.

No prior requests for an adjournment or an extension have been made in the instant matter relevant to this application. If the adjournment request is granted, and with the Court's approval, Defendants propose the following schedule: 1. Defendants shall file an answer by October 12, 2023. Parties can then appear for an initial discovery conference on October 26, 2023. To facilitate discovery, and per the Court's rules, the initial discovery conference can be e-filed on October 19, 2023.

I emailed plaintiff on September 5, 2023, asking him to consent to the extension of time to file my answer and adjournment of the discovery conference. He did not consent to my request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert Feliu", is written over a horizontal line.

Robert C. Feliu

Assistant Attorney General

Robert.Feliu@ag.ny.gov

cc: Tyrek Dubose
153-61 Horace Harding Expressway
2nd Floor Apt.
Queens, NY, 11367